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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE
ARBITRATION APPLICATION NO.143 OF 2005

M/s.Jeevat Construction

...Applicants

Vs.

Union of India

...Respondents

Mr.Udaya Sankar Samudrala applicants.

Ms.Shraddha Chavan i/b.Mr.Suresh Kumar for Union of India –
respondent.

CORAM: B.H.MARLAPALLE,J.

June 23, 2009.

P.C.

1. Mr.Samudrala, the learned counsel for the applicants has filed a motion pointing out that the title of the application as well as the names of the parties were wrongly noted in the order dated 3/5/2006. He pointed out that the title of lis recorded was Arbitration Petition No.143 of 2005 instead of Arbitration Application No.143 of 2005 and the application is filed by Ms./Jeevat Construction and not by Patvolk a division of Forbes

Gokalk Ltd. Even name of the respondent was wrongly mentioned in asmuchas instead of the name of the respondent as Union of India acting through General Manager, Western Railway, M/s. Zenith Limited was shown as the respondent.

2. The learned counsel for the respondent i.e. Western Railway supports the motion for correction.

3. Hence it is directed that the order dated 3/5/2006 be corrected in its title as well as names of the parties. The corrected order shall read as under:

“IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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The learned counsel for the applicants seeks leave to withdraw the Arbitration Application with liberty to initiate fresh proceeding, if so warranted.

Leave granted and Application is disposed as withdrawn with liberty as is available in law.”

4. Motion disposed accordingly.

(B.H.MARLAPALLE,J.)